

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

GERALDINE MORREALE,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No.:

COMPLAINT & JURY DEMAND

The Plaintiff, Geraldine Morreale, by his attorneys, ELEFTERAKIS, ELEFTERAKIS & PANEK, complaining of the Defendant herein, respectfully shows to this court and alleges as follows:

NATURE OF THE ACTION

1. This action is brought to recover damages for the serious personal injuries sustained by the Plaintiff due to the Defendant's negligence.

JURISDICTION AND VENUE

2. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. § 1346(b).

3. Venue properly lies in the District Court for the District of New Jersey pursuant to 28 USC § 1391(b)(2).

4. On November 29, 2024, prior to the commencement of this action, Plaintiff served and filed an Administrative Claim entitled "Standard Form 95" in writing, upon the United States Postal Service pursuant to 28 U.S.C. § 2675(a).

5. More than six months have passed since the said Claim was served upon the Defendant, and the Defendant has failed and/or refused to make an adjustment of any claim herein set forth and, as such, there has been a "final denial of the claim" pursuant to 28 U.S.C. § 2675(a).

6. All conditions precedent to the bringing of this action have been complied with.

PARTIES

7. Plaintiff is an adult resident of the County of Monmouth, State of New Jersey.

8. The Defendant, United States of America, is being sued on behalf of the United States Postal Service and its employee, Reginald E. Tawiah. The United States Postal Service is an independent agency of the United States of America which is responsible for providing postal services across the United States. The United States Postal Service owns, operates, manages, directs and controls motor vehicles including but not limited to a certain motor vehicle bearing license plate number 1260822. Reginald E. Tawiah is an adult resident of the County of Monmouth, State of New Jersey, and was employed and under the control and supervision of the United States of America and the United States Postal Service at the time of the occurrence complained of herein. At the time of the occurrence complained of herein, Reginald E. Tawiah was in the course of his employment with the United States Postal Service.

TRIAL BY JURY

9. Plaintiff demands trial by jury.

AS AND FOR A FIRST CLAIM FOR RELIEF - NEGLIGENCE BY THE DEFENDANT

10. Plaintiff repeats and realleges each and every allegation contained in paragraphs 1 through 9 of this complaint, as if fully set forth at length herein.

11. On or about the 1st day of December 2023, the Plaintiff, Geraldine Morreale, was the lawful pedestrian crossing at the intersection of Clayton Road and Union Hill Road, within the confines of the marked crosswalk, in the Township of Marlboro, County of Monmouth, State of New Jersey.

12. At the aforesaid place and time, Reginald E. Tawiah was the operator of a motor vehicle bearing new Jersey license plate number 1260822 owned by the Defendant, United States Postal Service, which turned right from Union Hill Road on to Clayton Road in the Township of Marlboro, County of Monmouth, State of New Jersey.

13. At all times relevant hereto, Reginald E. Tawiah, who was acting in the ordinary course of his employment with the United States Postal Service, had a duty to operate the Defendant's motor vehicle in a careful and prudent manner and to make reasonable, proper, and timely observations so as

to avoid collisions with pedestrians, including with the Plaintiff, Geraldine Morreale.

14. At the aforesaid time and place, Reginald E. Tawiah failed to make reasonable, proper, and timely observations, and otherwise failed to use reasonable care in the operation of his motor vehicle. As a result, the vehicle operated by Reginald E. Tawiah collided violently with the Plaintiff, Geraldine Morreale, while she was crossing Clayton Road within the confines of the marked crosswalk, resulting in serious permanent injuries to the Plaintiff, Geraldine Morreale.

15. As a direct and proximate result of the negligence of the Defendant, its employees, and its agents, the Plaintiff, Geraldine Morreale, was caused to sustain serious permanent personal injuries, was caused to sustain serious pain and suffering, emotional distress, loss of enjoyment of life, loss of income, and in the future will be caused to sustain chronic and serious pain and suffering, and emotional distress, and was caused to suffer other great losses, including, but not limited to loss of enjoyment of life, loss of bodily functions, loss of income, and out of pocket, medical and other expenses. Her injuries significantly impact his health and daily activities.

WHEREFORE, the Plaintiff, Geraldine Morreale, demands judgment against the Defendant for:

- a. Compensatory damages of \$10,000,000.00
- b. Reasonable attorneys' fees and costs; and
- c. Such other and further relief as appears reasonable and just.

Dated: May 29, 2025

ELEFTERAKIS, ELEFTERAKIS & PANEK
Attorneys for Plaintiff **GERALDINE MORREALE**

By: _____

Nicholas L. Leider, Esq.